

File No. 801788

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF THE STATE OF NEW YORK**

Donna M. Castillo,

Plaintiff

Civil Action No.

vs.

Bisson Moving and Storage Co., and Andrew T.
Parker,

Defendants.

NOTICE OF REMOVAL

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW YORK:

Defendants, Bisson Transportation, Inc. (improperly identified in the Complaint as “Bisson Moving and Storage Co.”) and Andrew T. Parker, by and through their attorneys, Rawle & Henderson LLP, respectfully aver as follows:

1. At all material times, plaintiff, Donna M. Castillo, was and is a citizen of the State of New Jersey. (See Exhibit “A” - Plaintiff’s Verified Complaint).

2. Defendant, Bisson Transportation, Inc. (improperly identified in Plaintiff’s Complaint as “Bisson Moving and Storage Co.”), at all material times, is a corporation incorporated under the laws of the State of Maine with its principal place of business in West Bath, Maine.

3. Defendant, Andrew T. Parker, at all material times, was and is a citizen of the State of Maine.

4. Plaintiff commenced this civil action against defendants in the Supreme Court of the State of New York, County of Bronx. A copy of the Summons and Verified

Complaint was served upon Defendant, Andrew T. Parker, on or about June 5, 2007. As of this date, Defendant, Bisson Transportation, Inc., has not been served. Notwithstanding the foregoing, this Petition for Removal to Federal Court is timely filed.

5. A review of plaintiff's Complaint reveals that it does not contain an addendum clause. However, the Complaint does allege the following:

Plaintiff, Donna M. Castillo, sustained severe and permanent personal injuries, medical expenses and economic loss; and plaintiff, Donna M. Castillo was otherwise damaged. (See Exhibit "A", paragraph #35)

The Complaint further alleges:

By reason of the above, Plaintiff, Donna M. Castillo has sustained damages, both general and special, in the amount that exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction. (See Exhibit "A", paragraph #39)

6. Based upon the fair reading of Plaintiff's Complaint, plaintiff has set forth a claim in which an amount in excess of the jurisdictional limit of \$75,000, exclusive of interest and costs, is at stake.

7. Diversity of citizenship within the meaning of 28 U.S.C. §1332 exists between plaintiff and defendants since:

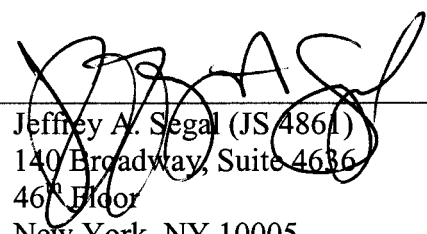
- a. Plaintiff is a citizen and resident of the State of New Jersey;
- b. Defendant, Bisson Transportation, Inc., at all material times, was and is a corporation incorporated in the State of Maine with its principal place of business in West Bath, Maine; and
- c. Defendant, Andrew T. Parker, at all material times, was and is a citizen of the State of Maine.

8. Furthermore, diversity of citizenship existed at the time the action sought to be removed was commenced and continues through the time of the filing of this notice, such that defendant is entitled to removal pursuant to 28 U.S.C. §1441 as amended, and 28 U.S.C. §1446.

WHEREFORE, defendants, Bisson Transportation, Inc. and Andrew T. Parker, pray that the above captioned action now pending in the Supreme Court of the State of New York, County of Bronx, be removed therefrom to this Honorable Court.

RAWLE & HENDERSON LLP

By: _____


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Attorneys for Defendants,
Bisson Transportation, Inc. and
Andrew T. Parker

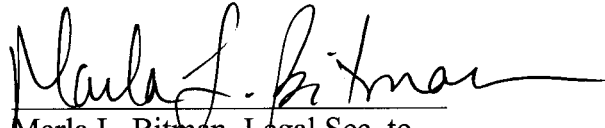
Date: June 13, 2007.

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the within captioned Notice of Removal of Action and Rule 7.1 Disclosure Statement was served via overnight service on the below listed counsel for plaintiff.

Heath Buzin, Esquire
PHILLIPS, KRANTZ & LEVI, LLP
204 West 84th Street
New York, NY 10024

RAWLE & HENDERSON LLP


Marla L. Bitman, Legal Sec. to
Jeffrey A. Segal

Date: June 13, 2007.